



11-2603

RCE/3728 #

Express Mail Mailing Label No. EV260610490US

**REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL**

<b>ADDRESS TO: Mail Stop RCE</b> <b>Commissioner for Patents</b> <b>P.O. Box 1450</b> <b>Alexandria, VA 22313-1450</b>	Application No.	09/920,439
	Filing Date	August 1, 2001
	First Named Inventor	Knoche
	Group Art Unit	3728
	Examiner Name	M.D. Patterson
	Attorney Docket No.	ADI-075

11/15  
RCE  
12/10/03

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTES**

**RCE v. CPA:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA.

**FEE AND SUBMISSION REQUIRED:** A submission as used in this section includes, but is not limited to, an information disclosure statement, an amendment to the written description, claims, or drawings, new arguments, or new evidence in support of patentability. If reply to an Office action under 35 U.S.C. 132 is outstanding, the submission must meet the reply requirements of § 1.111 (see 37 C.F.R. 1.114 (c)).

**RCE APPLIES TO:** An application in which prosecution is closed (see 37 C.F.R. § 1.114 (b)).

**RCE DOES NOT APPLY TO:** (1) A provisional application; (2) an application for a utility or plant patent filed under 35 U.S.C. 111(a) before June 8, 1995; (3) an international application filed under 35 U.S.C. 363 before June 8, 1995; (4) an application for a design patent; or (5) a patent under reexamination (see 37 C.F.R. 1.114(e)).

**1. SUBMISSION REQUIRED UNDER 37 C.F.R. § 1.114**

- a. ☒ Enter and consider the unentered amendment under 37 C.F.R. § 1.116 previously filed on **November 18, 2003**.
- b. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.
- c. ☐ Amendment/Response enclosed.
- d. ☐ Affidavit(s)/Declaration(s) enclosed.
- e. ☐ Information Disclosure Statement (IDS) enclosed.
  - i. ☐ PTO-1449
  - ii. ☐ Copies of IDS Citations
- f. ☐ Other \_\_\_\_\_

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**DEC 03 2003**

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**2. RCE FEE REQUIRED UNDER 37 C.F.R. § 1.114**

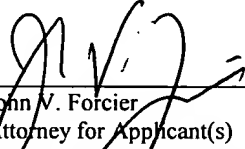
- a. ☐ Small entity status
  - i. ☐ was established in the prior nonprovisional application.
  - ii. ☐ is established herewith by the enclosed written assertion of entitlement to small entity status.
- b. ☒ A Petition and Fee for Extension of Time for 3 months up to and including **November 28, 2003**, was filed on **November 18, 2003**.
- c. ☒ A check in the amount of \$ **878.00** is enclosed.
- d. ☐ The Commissioner is hereby authorized to charge the required fee(s), i.e., \$\_\_\_\_, to Deposit Account No. 20-0531.
- e. ☒ The Commissioner is hereby authorized to credit overpayments or charge any additional fees required for this submission under 37 C.F.R. §§ 1.16 and 1.17 to Deposit Account No. 20-0531.

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01 FC:1801	770.00 OP
02 FC:1202	108.00 OP

**3. MISCELLANEOUS**

- a. ☒ Return Receipt Postcard enclosed.  
b. ☒ Fee Transmittal.

CORRESPONDENCE ADDRESS	SIGNATURE BLOCK
<p>Direct all correspondence to: Patent Administrator Testa, Hurwitz &amp; Thibault, LLP High Street Tower 125 High Street Boston, MA 02110 Tel. No.: (617) 248-7000 Fax No.: (617) 248-7100</p>	<p>Respectfully submitted,</p> <p> _____ John V. Forcier Attorney for Applicant(s) Testa, Hurwitz &amp; Thibault, LLP High Street Tower 125 High Street Boston, MA 02110</p> <p>Date: November 25, 2003 Reg. No. 42,545 Tel. No.: (617) 248-7675 Fax No.: (617) 248-7100</p>

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**FREE TRANSMITTAL**  
FY 2004

Complete if Known	
Application Serial Number	09/920,439
Filing Date	August 1, 2001
First Named Inventor	Knoche
Group Art Unit	3728
Examiner Name	M.D. Patterson
Attorney Docket No.	ADI-075

**METHOD OF PAYMENT**

1. ☒ Payment Enclosed:  
☒ Check ☐ Money Order ☐ Other
2. ☒ The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 20-0531.  
☐ Required Fees (copy of this sheet enclosed).  
☒ Additional fee required under 37 CFR 1.16 and 1.17.  
☒ Overpayment Credit.
3. ☐ Applicant claims small entity status.

**FEE CALCULATION****1. FILING FEE**

Large Entity Fee (\$)	Fee Description	Fee Paid
770	Utility filing fee	770.00
340	Design filing fee	
160	Provisional filing fee	

Number Filed	Number Extra	Rate	Amount
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Total Claims - 20 = x \$ 18.00 =

Independent Claims - 3 = x \$ 86.00 =

☐ Multiple Dependent Claim(s), if any \$290.00 =

TOTAL:

SMALL ENTITY DISCOUNT:

SUBTOTAL (1) (\$) 770.00

**2. AMENDMENT CLAIM FEES**

Claims Remaining After Amend.	Highest No. Previously Paid For	Present Extra	Rate	Fee Paid
Total 26	- 20 =	6	x \$ 18.00 =	108.00
Indep. 2	- 3 =	0	x \$ 86.00 =	0.00
<input type="checkbox"/> First Presentation of Multiple Dep. Claim			+ \$290.00 =	0.00

TOTAL: (\$) 108.00

SMALL ENTITY DISCOUNT: (\$)

SUBTOTAL (2) (\$) 108.00

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	
50	25	Surcharge - late provisional filing fee or cover sheet	
130	130	Non-English specification	
2,520	2,520	Request for ex parte reexamination	
110	55	Extension for reply within first month	
420	210	Extension for reply within second month	
950	475	Extension for reply within third month	
1480	740	Extension for reply within fourth month	
2010	1005	Extension for reply within fifth month	
330	165	Notice of Appeal	
330	165	Filing a brief in support of an appeal	
290	145	Request for oral hearing	
130	130	Petitions to the Commissioner	
180	180	Submission of Information Disclosure Statement	
770	385	Filing a submission after final rejection (37 CFR 1.129(a))	
770	385	For each additional invention to be examined (37 CFR 1.129(b))	
100	100	Certificate of Correction for applicant's error	
110	55	Submission of Terminal Disclaimer	
Other fee (Specify)			
Other fee (Specify)			

SUBTOTAL (3) (\$) 0.00

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SUBTOTAL (1) 770.00  
 SUBTOTAL (2) 108.00  
 SUBTOTAL (3) 0.00

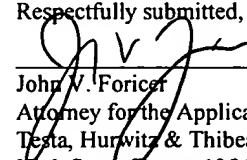
TOTAL (\$) 878.00

**CORRESPONDENCE ADDRESS**

Direct all correspondence to:  
 Patent Administrator  
 Testa, Hurwitz & Thibault, LLP  
 High Street Tower-125 High Street  
 Boston, MA 02110  
 Tel. No.: (617) 248-7000  
 Fax No.: (617) 248-7100

**SIGNATURE BLOCK**

Date: November 25, 2003  
 Reg. No.: 42,545  
 Tel. No.: (617) 248-7675  
 Fax No.: (617) 248-7100

Respectfully submitted,  
  
 John V. Forcier  
 Attorney for the Applicants  
 Testa, Hurwitz & Thibault, LLP  
 High Street Tower-125 High Street  
 Boston, MA 02110